

MANDATE

S.D.N.Y.-N.Y.C.
07-cv-9466
Batts, J.
Fox, M.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 29th day of May, two thousand eight,

Present:

Hon. Amalya L. Kearse,
Hon. Guido Calabresi,
Hon. Robert D. Sack,
Circuit Judges.

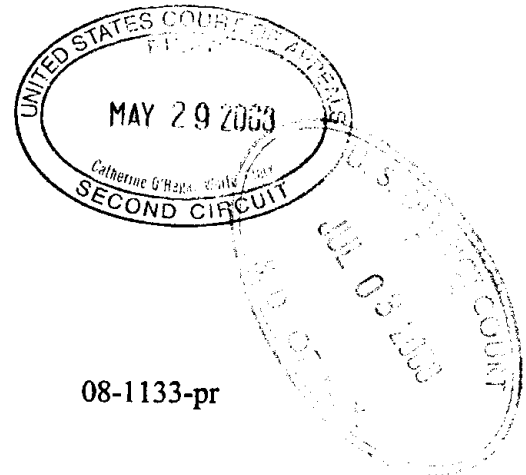
Andy Bradley,

Petitioner-Appellant,

v.

The People of the State of New York,

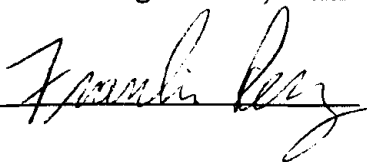
Respondent-Appellee.



08-1133-pr

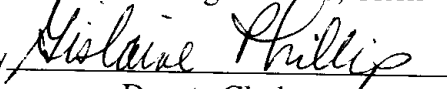
Appellant, *pro se*, moves for a certificate of appealability and *in forma pauperis* status. Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeal is DISMISSED because Appellant has not shown that "jurists of reason would find it debatable whether the district court was correct in its procedural ruling," *Slack v. McDaniel*, 529 U.S. 473, 478 (2000), as to the untimeliness of the Appellant's petition filed pursuant to 28 U.S.C. § 2254.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk

By: 

A TRUE COPY

Catherine O'Hagan Wolfe, Clerk

by 
Deputy Clerk

ISSUED AS MANDATE: JUL 2 2008